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C O N F I D E N T I A L SECTION 01 OF 02 PRISTINA 000854

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DEPT FOR DRL, INL, AND EUR/SCE, NSC FOR BRAUN, USUN FOR
DREW SCHUFLETOWSKI, USOSCE FOR STEVE STEGER

E.O. 12958: DECL: 10/10/2016

TAGS: [PGOV](#) [KJUS](#) [KCRM](#) [EAID](#) [KDEM](#) [UNMIK](#) [YI](#)

SUBJECT: KOSOVO: UNMIK STILL WAIVERING ON THREE-MONTH
TRANSITION

Classified By: COM TINA KAIDANOW FOR REASONS 1.4 (B) AND (D).

¶1. (C) SUMMARY: At the October 4 meeting of the Steering Group for Future International Arrangements, UNMIK presented a "work in progress non-paper" (forwarded to EUR/SCE) with timelines for transition and identifying an action office for many of the items. According to various UNMIK representatives, the Department of Peace-Keeping Operations (DPKO) in New York remains convinced that transition will require six to nine months, not the three months envisioned in UNMIK's draft transition paper. SRSRG Ruecker averred that 70 percent of the items in the paper can definitely be completed within three months, 15 percent might be able to be completed in three months and the remaining 15 percent would likely take longer than three months. While an improvement on UNMIK's previous draft, this latest version fails to set out the specific actions that must be carried out to transfer the specified competencies. UNMIK would like initial comments to its draft transition non-paper by mid-October.
END SUMMARY.

UNMIK's Draft Paper Envisions Three Month Transition

¶2. (C) SRSRG Joachim Ruecker chaired the fourth meeting of the Steering Group for Future International Arrangements on October 4, attended by representatives from UNMIK, UNDP, OSCE, KFOR, EU, EC and USOP. UNMIK presented its "work in progress non-paper" on transition planning and implementation. The document contains timelines for transition and identifies action offices for most of the items. Ruecker asked for reactions regarding the planning assumptions and the document's comprehensiveness (rather than its substance) within a week. He also asked that the non-paper and reactions for now be kept within the Steering Group because the draft document has not been fully vetted with DPKO at UN headquarters in New York. Several UNMIK officials confirmed that DPKO remains convinced that the transfer of UNMIK's remaining competencies to the Kosovo government and the proposed International Civilian Office (ICO) will require a six to nine month transition, vice the three-month transition proposed in UNMIK's plan. PDSRSRG Steven Schook called on the ICO to maintain pressure on DPKO to agree to the shorter transition period.

13. (C) SRSG Ruecker said that approximately 70 percent of the action items in the plan can be completed within the three-month period set out in the draft, an additional 15 percent might be achievable within three months, and the remaining 15 percent would likely take longer. Both Ruecker and Schook were adamant that everyone present understand that after the 90-day transition period, UNMIK goes away and no/no remnants of it will remain. Schook emphasized that issuance of travel documents could not be resolved within three months and expressed concerns several times during the meeting over the need for clear security arrangements in conjunction with KFOR.

UNOSEK Agrees

14. (C) Visiting UNOSEK representative Bernhard Schlagheck said he had met with UNMIK officials on October 2 (without any representatives of the ICO team present) to discuss UNOSEK's current thinking on the future international presence as contained in the draft settlement documents. According to Schlagheck, UNOSEK's plan is for a 90-day transition period after the issuance of the final status agreement, after which the settlement will be implemented. During this transition period, he said, UNMIK will continue with its UNSCR 1244 mandate unless the UNSC decides otherwise, and Kosovo's existing Constitutional Framework and laws will still be in effect. UNOSEK would prefer that the incoming International Civilian Representative not be in Kosovo during the transition period.

OSCE Head: New Constitution/Electoral Law During Transition

15. (SBU) The head of the OSCE Mission in Kosovo Werner Wnendt

PRISTINA 00000854 002 OF 002

told participants that the Kosovo Assembly should adopt a new constitution and a new law on local government during the transition period. If the Kosovo government cannot adopt a new constitution by then, Wnendt said, the SRSG will amend the existing Constitutional Framework, which will remain in effect until a new constitution is adopted.

16. (SBU) Wnendt also said Kosovo should hold both local and central elections no later than November 2007, noting that to postpone them any later would require a new decision by the SRSG. Wnendt said that Kosovo needs a new election law -- which he said should be drafted in concert with the new constitution -- as well as a new voter list. He assured everyone that elections could be organized in as little as four months (vice the six months we have heard from his staff), so long as the voting remains on a closed rather than an open list basis. He explained that registration is not a problem in a closed system, but is in an open list system because voters would have to register by district. In a brief discussion of the advisability of simultaneous municipal and central elections, participants were split on whether holding both at the same time would increase participation of or widen the impact of any boycott by Kosovo Serbs.

17. (C) COMMENT: While an improvement on an earlier draft, UNMIK's new transition paper still does not spell out how competencies are to be transferred, nor is it clear that DPKO will sign off on a three-month transition timeline. Other issues include our fear that the OSCE is too far ahead of its planning on the new constitution before at least some of Kosovo's Serbs are on board and the international community has a coordinated response. We will include these and other comments to UNMIK on the transition paper by mid-October and would appreciate any input from EUR/SCE. END COMMENT.

18. (SBU) U.S. Office Pristina does not/not clear this cable in its entirety for release to U.N. Special Envoy Martti Ahtisaari.
KAIDANOW